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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------------|-------------|----------------------|---------------------|------------------|
| 10/697,023 | 10/31/2003 | Hsin Tang Chien | 2019-0227P | 1097 |
| 2292 | 7590 | 07/28/2005 | EXAMINER | |
| BIRCH STEWART KOLASCH & BIRCH | | | HINES, ANNE M | |
| PO BOX 747 | | | ART UNIT | |
| FALLS CHURCH, VA 22040-0747 | | | PAPER NUMBER | |
| | | | 2879 | |
| DATE MAILED: 07/28/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

SM

Office Action Summary

Application No.

10/697,023

Applicant(s)

CHIEN ET AL.

Examiner

Anne M. Hines

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 1 and 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The amendment filed on October 31, 2003, has been entered and acknowledged by the Examiner.

Claims 1-4 are pending in the instant application.

Specification

The abstract of the disclosure is objected to because of the phrase "the second light-transmitting section has an area larger than that of the light-transmitting section" occurring on lines 6 and 7 of the abstract is unclear. Based on the detailed description of the embodiments it appears that the phrase should be written as: the second light-transmitting section has an area larger than that of the first light-transmitting section. Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities: the phrase "the second light-transmitting section is larger than the light-transmitting section" occurring on page 3, lines 15-16 is unclear. Based on the detailed description of the embodiments it appears that the phrase should be written as: the second light-transmitting section is larger than the first light-transmitting section. Appropriate correction is required.

Claim 1 is objected to because of the following informalities: the word "lager" appearing on line 10 of page 6. It appears that it should be replaced with the following

Art Unit: 2879

word: larger. The Examiner has treated the claim on its merits assuming this correction.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 3 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, on page 6, lines 9-11 the phrase: the second light-transmitting section has a light-transmitting capacity larger than that of the light-transmitting section; this is indefinite. It appears from the detailed description of the embodiments that this phrase should read: the second light-transmitting section has a light-transmitting capacity larger than that of the first light-transmitting section. The Examiner has treated the claim on its merits assuming this correction.

Regarding claim 3, on page 6, lines 21-22 the phrase "a non-coating section arranged at an opposite part of the inner surface of the lamp tube" is indefinite. The Examiner will treat the claim on its merits assuming that this phrase describes a non-coated area of the inner surface of the lamp tube that is centered 180° around the circumference of the lamp tube from the coated area of the lamp tube.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Bauer (US Pat. No. 3,767,956).

Regarding claim 1, Bauer discloses a lamp tube (Fig. 6, 10); and a fluorescent layer incompletely coated on an inner surface of the lamp tube (Fig. 6, 28) to define a first light-transmitting section at a middle portion of the lamp tube (Fig. 5, 50) and a second light-transmitting section at two ends of the lamp tube (Fig. 5, 52); whereby the second light-transmitting section has an area larger than that of the first light-transmitting section, the second light-transmitting section has a light-transmitting capacity larger than that of the light-transmitting section (Column 3 line 67 to Column 4 line 3).

Regarding claim 2, Bauer further discloses a fluorescent lamp wherein the fluorescent layer is of two corresponding arc edges (Fig. 5, 52; Column 3 lines 66-67) for defining the first light-transmitting section (Fig. 5, 50) and the second light-transmitting section (Fig. 5, 52).

Regarding claim 3, Bauer discloses a lamp tube (Fig. 6, 10); a coating section including a fluorescent layer coated on a part of an inner surface of the lamp tube (Fig. 6, 28), and the coating section gradually tapered from a middle portion to two ends of

Art Unit: 2879

the lamp tube (Fig. 5) and a non-coating section arranged at an opposite part of the inner surface of the lamp tube (Fig. 6, 50); wherein the non-coating section has an area at the two ends of the lamp tube (Fig. 5, 52) larger than that of the coating section for increasing a light-transmitting capacity.

Regarding claim 4, Bauer discloses a fluorescent lamp wherein the coating section (Fig. 5; Fig. 6, 28) has two sides each being of arc shape for controlling the light-transmitting capacity (Fig. 5, 52; Column 3 lines 66-67).

Other Prior Art Cited

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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|-----|-----------------------|
| Ray | US Pat. No. 3,067,356 |
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| Sadoski et al. | US Pat. No. 3,717,781 |
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne M. Hines whose telephone number is (571) 272-2285. The examiner can normally be reached from 8:00-4:30 on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2879

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anne M Hines
Patent Examiner
Art Unit 2879

AMH
7/22/05

mslg 7/22/05
MARICELI SANTIAGO
PRIMARY EXAMINER